

## **MINUTES**

### **MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON JUDICIARY**

**Call to Order:** By **CHAIRMAN JESSE LASLOVICH**, on February 2, 2007  
at 8:00 A.M., in Room 303 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Jesse Laslovich, Chairman (D)  
Sen. Aubyn Curtiss (R)  
Sen. Larry Jent (D)  
Sen. Carol C. Juneau (D)  
Sen. Dan McGee (R)  
Sen. Lynda Moss (D)  
Sen. Jerry O'Neil (R)  
Sen. Gerald Pease (D)  
Sen. Gary L. Perry (R)  
Sen. Jim Shockley (R)  
Sen. David E. Wanzonried (D)

**Members Excused:**

Sen. Carol Williams (D)

**Members Absent:** None.

**Staff Present:** Carol Andersen, Committee Secretary  
Valencia Lane, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 373, 1/29/2007; SB 371,  
1/29/2007; SB 255, 1/29/2007  
Executive Action: None.

**HEARING ON SB 373**

**Opening Statement by Sponsor:**

00:01:53 SEN. KIM GILLAN (D), SD 24, opened the hearing on SB 373, Sexual predator regulation.

[EXHIBIT\(jus23a01\)](#)

**Proponents:**

00:07:11 Mike Ferriter, Director, Department of Corrections

00:12:07 Anna Whiting-Sorrell, DOC

00:13:53 Diana Koch, Legal Counsel for DOC

00:16:26 Dallas Erickson, Decency through Law.

**Opponents:**

00:17:35 Andy Hudak, Therapist, Legislative Commission

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

00:31:30 Sen. Perry to Andy Hudak

00:43:30 Sen. Shockley to Director Ferriter

00:44:57 Mike Mahoney, Warden, Montana State Prison (MSP)

00:46:24 Sen. Shockley to Warden Mahoney

00:47:08 Director Ferriter

00:54:46 Sen. Juneau to Diana Koch

01:00:01 Sen. Laslovich

01:00:12 Sen. O'Neil to Director Ferriter

01:02:32 Sen. O'Neil to Andy Hudak

**Closing by Sponsor:**

01:04:10 Sen. Gillan

**EXHIBIT(jus23a02)**

**HEARING ON SB 371**

**Opening Statement by Sponsor:**

01:06:07 **SEN. CHRISTINE KAUFMANN (D), SD 41**, opened the hearing on **SB 371**, Include sexual orientation and gender identity in certain laws.

**Proponents:**

01:10:56 Lt. Gov. John Bohlinger

**EXHIBIT(jus23a03)**

01:15:57 F. Vernon Wright, V, Minister, United Church of Christ

01:18:39 John S. Lewis, President, PFLAG Council

**EXHIBIT(jus23a04)**

01:29:29 Mary Ann Guggenhiem, Physician

01:34:59 Jerry Keck, Department of Labor, Human Rights Bureau

01:36:20 Harry Sheets

01:39:03 Caitlin Copple, Gay Society

01:41:23 Terry Kendrick, Montana Women Voters

01:43:31 Tyler Hunsaker, MSU student

01:45:32 Cathy Day, American Civil Liberties Union (ACLU)

01:46:50 Andrea J. Olsen, Montana Trial Lawyers Association

01:49:33 Wade Sikorski

01:50:30 Beth Brenneman, Attorney, People with Disabilities

01:51:32 Kim Abbott, Montana Human Rights Network

01:52:00 Rep. Diane Sands

01:53:13 Kelsen Young, Montana Coalition Against Domestic  
Violence

01:53:53 Tara Veazey, Attorney

01:56:19 Sen. Carol Juneau

**Opponents:**

01:58:21 Dallas Erickson, Montana Citizens for Decency

**EXHIBIT(jus23a05)**

02:05:42 William Wise, Retired Medical Doctor of Internal  
Medicine

02:11:57 Patti Kanduch, Director, Concerned Women for America  
of Montana

**EXHIBIT(jus23a06)**

02:17:19 Jeanette Zentgraf

**EXHIBIT(jus23a07)**

02:24:27 Merry Nelson

**EXHIBIT(jus23a08)**

02:27:00 Moe Wosepka, Montana Catholic Conference

**EXHIBIT(jus23a09)**

02:30:11 Roger Halver, Montana Landlords Association

02:32:58 Leon Nelson, Landscaper from Bigfork

**EXHIBIT(jus23a10)**

02:35:44 Gordon Rubard, Great Falls, Montana Boy Scouts of  
America

02:36:44 Lynn Stumberg, Eagle Forum

02:37:08 Bruceen Fleenor, Volunteer for Hospice

02:38:49 Patricia Wood, Homemaker

02:39:07 Harris Himes, Pastor, Montana Values Alliance

02:50:56 Tammy Kanduch, Works with High School Youth Group

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

02:53:00 Sen. Shockley to Pastor Himes

02:53:52 Sen. Moss to Rev. Wright

**EXHIBIT(jus23a11)**

02:55:05 Sen. Moss to Sen. Kaufmann

02:59:23 Sen. Wanzenried to Sen. Kaufmann

03:00:05 Jerry Keck

**Closing by Sponsor:**

03:00:59 Sen. Kaufmann

**EXHIBIT(jus23a12)**

03:06:21 Break

03:16:28 Resume

**HEARING ON SB 255**

**Opening Statement by Sponsor:**

03:16:44 SEN. DAN MCGEE (R), SD 29, opened the hearing on SB 255, Restrict expenditure of public funds for employee benefits.

**EXHIBIT(jus23a13)**

**Proponents:** None.

**Opponents:**

03:21:26 Dave Ohler, Montana Health Care Benefits

**EXHIBIT(jus23a14)**

**EXHIBIT(jus23a15)**

03:32:16 Connie Welsh, Department of Administration

03:40:32 J. D. Lynch, Butte-Silver Bow County

03:41:10 Barbara Allen

**EXHIBIT(jus23a16)**

03:43:14 Kathy Swift, Lawyer, University System

03:43:58 Caitlin Copple, Eagle Forum

03:44:14 Diana Longdon

**EXHIBIT(jus23a17)**

**EXHIBIT(jus23a18)**

03:47:00 Linda Gryczan, Pride

**EXHIBIT(jus23a19)**

03:48:41 Amanda Arnold, Montana Human Rights Network (MHRN)

**EXHIBIT(jus23a20)**

**EXHIBIT(jus23a21)**

03:50:50 Scott Crichton, ACLU

03:50:54 Rick Griffith, Butte, Airport

03:51:37 Tom Billodeau, Montana Education Association-Montana  
Federation of Teachers

03:52:29 Holly Franz, Attorney

**Informational Testimony:**

03:52:57 Harold Blattie, Montana Association of Counties

**Questions from Committee Members and Responses:**

03:53:35 Sen. O'Neil to Dave Ohler

**EXHIBIT(jus23a22)**

03:54:38 Sen. O'Neil to Connie Welsh

03:56:08 Sen. Wanzienried to Sen. McGee

03:59:26 Sen. Shockley to Linda Gryczan

**Closing by Sponsor:**

04:01:15 Sen. McGee

**ADJOURNMENT**

Adjournment: 12:10 P.M.

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SEN. JESSE LASLOVICH, Chairman

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CAROL ANDERSEN, Secretary

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Additional Exhibits:

**EXHIBIT ([jus23aad.pdf](#))**